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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/602,431	06/23/2000	Nk Srinivas	204862	1389

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EXAMINER

MEKY, MOUSTAFA M

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 06/19/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/602,431

Applicant(s)

SRINIVAS, NK

Examiner

Moustafa M Meky

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 May 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-20 is/are allowed.
- 6) ☒ Claim(s) 1,6 and 8-10 is/are rejected.
- 7) ☒ Claim(s) 2-5 and 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.                      6) ☐ Other: \_\_\_\_\_

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1. Claims 1-20 are presenting for examination.
2. Claims 11-20 are allowed over the prior art of record.
  - 2.1. The prior art of record taken singularly or in combination does not teach or suggest notifying a socket layer of the TCP/IP connection after the receipt of an ACK from the client that sends a TCP SYN packet requesting the formation of the TCP/IP connection and receives a SYN-ACK (claims 11 , 15, 17).
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1, 6 & 8-10 are rejected under 35 U.S.C. 102(a) as being anticipated by Denker (US Pat. No. 5,958,053).
5. As to claim 1, Denker discloses a method for establishing a TCP/IP connection between a client and a server such that the server may withstand a SYN flood attack (see col 4, lines 30-33).  
The method of Denker comprising:
  - \* receiving a TCP SYN packet including a client IP address requesting the formation of a TCP/IP connection from the client, see col 4, lines 54-55, col 7, lines 12-14, lines 31-32;
  - \* allocating a small TCP control block (TCB) to service a TCP/IP there-way handshake, see col 4, lines 49-52, col 7, lines 32-36;

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\* transmitting a TCP-ACK (SYNACK) to the IP address of the client, see col 4, lines 58-60, col 7, lines 36-37.

6. As to claim 6, Denker teaches the limitations of receiving an ACK from the client in response to the TCP-ACK (SYNACK) to complete the establishment of a TCP connection (see col 4, lines 63-65, col 5, lines 6-8, col 8, lines 19-20), and caching route information for the client (see col 8, lines 37-42).

7. As to claims 8-9, Denker teaches allocating a small TCB to serve the TCP/IP three-way connection, see col 4, lines 49-52, col 7, lines 33-35.

8. As to claim 10, Denker teaches receiving an ACK from the client in response to the TCP-ACK (SYNACK) to complete the establishment of a TCP connection (see col 4, lines 63-65, col 5, lines 6-8, col 8, lines 19-20) and allocating a full TCB to serve the TCP connection (see col 5, lines 3-8, col 9, lines 29-33).

Therefore, it can be seen from paragraphs 5-8 that Denker anticipates claims 1, 6 & 8-10.

9. Claims 2-5 & 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9.1. The prior art of record does not teach notifying a socket layer of the TCP connection after receiving the ACK from the client (claims 2 & 7).

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Moustafa M. Meky whose telephone number is (703) 305-9697. The examiner can normally be reached on week days from 8:30 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne, can be reached on (703) 308-7562. The fax phone number for this Group is (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The fax number for the After-Final correspondence/amendment is (703) 746-7238. The fax number for official correspondence/amendment is (703) 746-7239. The fax number for Non-official draft correspondence/amendment is (703) 746-7240.

M.M.M

June 13, 2003



MOUSTAF A M. MEKY  
PRIMARY EXAMINER